



**COUNTY OF ERIE
DIVISION OF PURCHASE
MEMORANDUM**

To: Division of Sewerage Management

From: Jamie Kucewicz, Buyer

Date: June 30, 2022

Subject: MAINTENANCE OF CONDENSING BOILERS - ECCF

Bid No.: 218165-002

Effective Dates: Extended through June 30, 2024

Vendor: B.J. MUIRHEAD COMPANY, INC.
115 Mid County Drive
Orchard Park, NY 14127

Telephone: 716-667-7100

Contact: Stephen Odrzywolski

Pricing: per attached documents



COUNTY OF ERIE

DIVISION OF PURCHASE

VALLIE M. FERRARACCIO
DIRECTOR

June 6, 2022

B.J. Muirhead Co. Inc
115 Mid County Drive
Orchard Park, NY 14127
Attn: Donna Oswald

Re: Bid #218165-002 - "Maintenance of Condensing Boilers - ECCF"

Dear Mrs. Oswald:

The County of Erie wishes to extend this agreement for an additional two years, through June 30, 2024, under the same prices terms and conditions as the original agreement.

Extension is provided for per paragraph 26, Page 5 of 6 of the "Instructions to Bidders". This offer is for your immediate consideration and acceptance. Please indicate below whether you agree to extend or do not wish to extend. Please respond within seven days upon receipt of this request.

After approval and execution by the County, a fully signed copy will be returned to you for your files.

Yes, I agree to extend No, I do not wish to extend

Company Name: B.J. Muirhead Company Inc.

Representative (Please print): Donna Oswald Title: Treasurer

Signature:  Date: 6/29/2022

Sincerely,

James D. Kucewicz
Buyer


Vallie M. Ferraraccio
Director of Purchase
6/30/2022
DATE



County of Erie

MARK C. POLONCARZ
COUNTY EXECUTIVE

DIVISION OF PURCHASE

STANDARD AGREEMENT

This AGREEMENT, made as of the 18th DAY OF JULY, 2018

by and between B.J. MUIRHEAD COMPANY, INC.

of 115 MID COUNTY DRIVE, ORCHARD PARK, NY 14127

herein after referred to as the Contractor, and the County of Erie, a municipal corporation of the State of New York, hereinafter referred to as the County:

WHEREAS, in accordance with public open competitive bidding, sealed proposals were received and publicly opened by the County of Erie, Division of Purchase

on JUNE 25, 2018 at 11:00AM

for: MAINTENANCE OF CONDENSING BOILERS – ERIE COUNTY CORRECTIONAL FACILITY

WHEREAS, the bid of the Contractor submitted in accordance therewith, the sum of \$26,900, was the lowest responsible bid submitted; and

WHEREAS, a contract is hereby awarded to the Contractor by the County, in accordance with the provisions therein contained; and

WHEREAS, the Notice to Bidders and Specifications make provisions for entering into a proper and suitable contract in connection therewith;

NOW, therefore, the Contractor does hereby for its heirs, executors, administrators and successors agree with the County of Erie that, the Contractor shall for the consideration mentioned, and in the manner set forth in Accepted Invitation to Bid No. 218165-002, Specifications and Provisions of Law annexed hereto and forming a part of this contract, furnish the equipment and materials and perform the work and services described in the Accepted Bid for the above sum.

\$6725 billed monthly

Paid monthly upon presentation of invoices.

Upon delivery, completion and approval of the work, as per specifications.

Please refer to the Invitation to Bid (Page 1) and the Instructions to Bidders which are part of this agreement.

IN WITNESS THEREOF, the parties hereto have hereunto set their hands and seals the day and year first above written.

COUNTY OF ERIE

CONTRACTOR: B.J. MUIRHEAD COMPANY, INC.

by _____
Director of Purchase

by [Signature]

Date _____

Title Treasurer

Date July 26, 2018

APPROVED AS TO FORM

Assistant County Attorney
County of Erie, New York

Date _____



RECEIVED
 JUN 13 2018
 B.J. MUIRHEAD CO. INC.

COUNTY OF ERIE
MARK C. POLONCARZ
COUNTY EXECUTIVE
DIVISION OF PURCHASE
INVITATION TO BID

Bids, as stated below, will be received and publicly opened by the Division of Purchase in accordance with the attached specifications. FAX bids are unacceptable. Bids must be submitted in a sealed envelope to:

County of Erie
 Division of Purchase
 Attention: JAMES D. KUCEWICZ, BUYER (716) 858-6336
 95 Franklin Street, Room 1254
 Buffalo, New York 14202-3967

NOTE: Lower left hand corner of envelope MUST indicate the following:

BID NUMBER: 218165-002

OPENING DATE: JUNE 25, 2017 TIME: 11:00 AM

FOR: MAINTENANCE OF CONDENSING BOILERS - ECCF

BJ MUIRHEAD
 115 MID COUNTY DR.
 ORCHARD PARK NY 14127

NAME OF BIDDER: _____

If you are submitting other Invitations to Bid, each bid must be enclosed in a separate envelope.

Following EXHIBITS are attached to and made a part of the bid specifications, and part of any agreement entered into pursuant to this Invitation to Bid:

- EXHIBIT "A" - Assignment of Public Contracts
- EXHIBIT "B" - Purchases by Other Local Governments or Special Districts
- EXHIBIT "C" - Construction/Reconstruction Contracts
- EXHIBIT "D" - Bid Bond (Formal Bid)
- EXHIBIT "E" - Bid Bond (Informal Bid)
- EXHIBIT "EP" - Equal Pay Certification
- EXHIBIT "F" - Standard Agreement
- EXHIBIT "G" - Non-Collusive Bidding Certification
- EXHIBIT "H" - MBE/ WBE Commitment
- EXHIBIT "IC" - Insurance CLASSIFICATION "A"
- EXHIBIT "P" & EXHIBIT "PBI" - Performance Bond
- EXHIBIT "PW" - NYS Prevailing Wage
- EXHIBIT "Q" - Confined Space Program Certification

County of Erie
 DIVISION OF PURCHASE
NON-COLLUSIVE BIDDING CERTIFICATION

By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid each party thereto certifies as to its own organization, under penalty of perjury, that to the best of his knowledge and belief:

- (1) the prices in this bid have been arrived at independently without collusion, consultation, communication, or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other bidder or any competitor;
- (2) unless otherwise required by law, the prices which have been quoted in this bid have not been knowingly disclosed by the bidder and will not knowingly be disclosed by the bidder prior to opening, directly or indirectly, to any other bidder or to any competitor; and
- (3) no attempt has been made or will be made by the bidder to induce any other person, partnership or corporation to submit or not to submit a bid for the purpose of restricting competition.

NOTICE

(Penal Law, Section 210.45)

IT IS A CRIME, PUNISHABLE AS A CLASS A MISDEMEANOR UNDER THE LAWS OF THE STATE OF NEW YORK, FOR A PERSON, IN AND BY A WRITTEN INSTRUMENT, TO KNOWINGLY MAKE A FALSE STATEMENT, OR TO MAKE A FALSE STATEMENT, OR TO MAKE A STATEMENT WHICH SUCH PERSON DOES NOT BELIEVE TO BE TRUE.

BID NOT ACCEPTABLE WITHOUT FOLLOWING CERTIFICATION:

Affirmed under penalty of perjury this 25 day of June, 20 18

TERMS Net 30 DELIVERY DATE AT DESTINATION _____

FIRM NAME B.J. Murchard Company Inc

ADDRESS 115 Mid County Drive

Oreland Park NY ZIP 14127

AUTHORIZED SIGNATURE [Signature]

TYPED NAME OF AUTHORIZED SIGNATURE _____

TITLE Yacov TELEPHONE NO. 6/25/18

County of Erie
DIVISION OF PURCHASE
BID SPECIFICATIONS

BID NO. 218165-002

Ship to: County of Erie
 Attention: Sewer District
 Address:

Ship Via: Most Economical
 Date Required at Destination: As Required

| ITEM NO. | QUANTITY | U/M | CATALOG NO./DESCRIPTION | TOTAL PRICE |
|----------|----------|-----|--|-------------|
| | | | Vendor to furnish all labor, material and equipment to provide | |
| | | | comprehensive, all inclusive maintenance for five Fulton Condensing | |
| | | | Boilers at the Erie County Correctional Facility, 11581 Walden Avenue, | |
| | | | Alden, NY 14004, per the attached specifications. | |
| | | | Term of the contract will be July 1, 2018 – June 30, 2020. | |
| | | | | |
| | | | | |
| | | | Please provide pricing in Article VI and Article VII below. | |
| | | | | |
| | | | | |
| | | | For questions in regard to the specifications of this bid, | |
| | | | please contact Earl Zeeb at (716) 858-4991. | |
| | | | | |

NOTE: Bid results cannot be given over the phone. All requests for bid results should be submitted in writing or faxed to:

ERIE COUNTY DIVISION OF PURCHASE
 Freedom of Information Officer
 95 Franklin Street, Rm. 1254
 Buffalo, NY 14202
 FAX #: 716/858-6465

NAME OF BIDDER BJ Muirhead Co., Inc

**Comprehensive Maintenance Contract Specification
Condensing Boilers Erie County Correctional Facility
11581 Walden Ave. Alden N.Y.14004**

Article I – General Information

1001 – Erie County Correctional Facility Require a **Comprehensive all inclusive Parts and Labor** preventive maintenance contract for Five (5) Fulton Condensing Boilers. Located at Erie County Correctional Facility

1002 – The services shall be performed under Fulton equipment manufacture's specifications. And follow required service under Article V . Contract to include all **parts and labor** for preventive maintenance, repair and replacement for worn, failed components and related parts. This is also to include all labor on manufacturer's parts and components. All labor is to include travel and any related expenses to perform work required.

1003 - A pre-bid walk through will be held on Wednesday, June 13, 2018 at 9:00 AM

Site contact: Joe Dauer (716) 937-5529

1004 – The County reserves the right to terminate (60 day written notice) at any time, for any reason, or suspend any part of the services described herein when conditions change, operation of a county facility is reduced or discontinued or other similar circumstances take place. In the event of such termination or suspension, payments for services shall suspend without penalty.

Article II – Qualification of Bidders

2001 – The contractor shall have had a qualified service organization for a minimum of 10 years.

The contractor shall provide factory trained certified service specialists to perform work on equipment listed in Article IV. The contractor shall provide current documentation of certified factory trained Fulton service specialists at time of bid.

2002 – The contractor shall have a flawless record with the Department of Labor any infractions within the past 10 years, specifically regarding prevailing rate, will disqualify the bidder.

Article III – Scope of Services

3001 – The service specialists shall perform detailed reporting and documentation functions that will allow the contractor to provide the a report detailing the work performed as well as a listing of time, date and result of each time the equipment was serviced. All service shall be signed off by a representative Erie County Department of Public Works

Contractor to provide 24/7 on call service with 2 Hour response time from time on initial call.
On call service to be charged at the rates listed in article VI

3002 – Test and Inspection of all components listed in Article IV to insure that the equipment is operating to manufactures specifications.

3003 - Quality Assurance service to communicate with building manager to ensure that the services provided comply with the level of service outlined in the specification.

3004 – Preventive maintenance to include two visits per year for equipment listed in Article IV with administration of a maintenance program with all required labor, parts and maintenance supplies to effectively perform required maintenance per equipment manufactures recommendations.

See required maintenance listed in Article V

3005 – Additional work

Any work not covered under this contract must be quoted and approval required prior to start of any work and follow the rate schedule in article VI.

Article IV – Equipment Listing

Fulton Model VTG-4000DF Unit # 7706

Fulton Model VTG-4000DF Unit # 7714

Fulton Model VTG-4000DF Unit # 7720

Fulton Model VTG -4000DF Unit # 7721

Fulton Model VTG -4000DF Unit # 7727

Article V – Required Services

Annual Service

1. Open and Clean Fireside of Boilers.
2. Check ignition electrodes for deposits/Clean and align as required.
3. Check burner and diffuser for any damage or burn marks.
4. Inspect door refractory and repair minor cracks as needed.
5. Inspect the pressure vessel for damage or residue .Clean as needed.
6. Replace fireside gaskets
7. Safety limits device inspection for all boilers. (Data to be recorded)
8. Natural gas combustion reset on all boilers (data to be recorded)
9. Check that condensate drains are functioning.
10. Perform limit test on boiler safety controls.
11. Test flame failure.
12. Check and adjust pilot flame.
13. Check electronically operated gas valves for leakage and positive shutoff.
14. Inspect and clean the following: diffuser, electrode, pilot tube, air damper.
15. Check gaskets for leakage and replace if required.
16. Check and clean scanner or flame rod.
17. Run combustion analysis on all boilers tune combustion for optimal efficiency and submit reports to Chief Engineer.

Article VI – On-call Service / Parts beyond scope of contract to be charged at the following Rates.

6001 Labor Rates

Regular Hourly Rate Monday – Friday \$ 120.00
Weekend Rate \$ 180.00
Holiday Rate \$ 240.00

6002 Parts Cost plus 20 %
(material invoices must be provided)

Article VII – Payment Schedule

**Payments to be made (1) one time / yr. in arrears upon signed work orders and invoices and sent to:
Erie County Department of Public Works
95 Franklin St.
Buffalo N.Y. 10202**

Yearly Cost for Services

July 1, 2018 – June 30, 2019 \$ 13,400
July 1, 2019 – June 30, 2020 \$ 13,500